The Telegraph-Journal, Wednesday, June 5, 1991

Woman: spray took away eyesight

By SHAUN WATERS
The Telegraph-Journal

HOYT

Edna Graham believes that chemicals sprayed by NB Power 30 years ago took away her eyesight.

But the 84-year-old woman says she has no hard feelings toward the power company.

"I lost my sight and my stomach was bad but I don't worry about it," Graham said in an interview Tuesday.

Lacey

She was one of several people in her neighborhood who became violently sick after eating raspberries that were sprayed with herbicides in 1961. The incident came to light this week after a private investigator hired by the Workers Compensation board found a memo about it in NB Power records.

The Sprayers of Dioxin Association, or SODA, has cited the old memo as proof the government knew the herbicide spray was dangerous but always denied it publicly.

The former sprayers in SODA are suing NB Power and chemical companies, claiming that dioxins in the herbicide left them with strange cancers and a higher-than-normal death rate.

> "I'm certainly going to look at it. It's very serious. . .and we're certainly not going to back away from our responsibility in this."
> Al Lacey

NB Power Chairman Al Lacey said yesterday he would check into the matter.

"I guess I have to take into consideration the legality of it all with civil lawsuits under way right now," he said. "But having said that, I'm certainly going to look at it. It's very serious ...and we're certainly not going to back away from our responsibility in this."

Graham says she doesn't know much about the SODA case but recalls her own encounter with herbicides vividly.

NB Power crews were clearing brush for a new power line through her neighborhood.

"The spray used to go right over the house and you could hear it sizzling," she said. "It killed my flowers. I paid no attention to it because I thought it was great for keeping bugs away."

Graham remembers her husband coming home with about 10 quarts of fresh-picked raspberries one day. He didn't eat any but she began doing them up for preserves and couldn't resist.

"I thought I had stomach flu until a neighbor came over and said, 'Edna, don't you eat those berries, they're poisoned'," she recalled. "But I was already laying down sick and my eyes were going kind of smokey like in a fog."

Two of her cousins and another neighbor became sick as well. Edna's husband complained to NB Power and the power company sent two men to investigate.

"They talked to us very nice," she said. "They told us we could press charges but I said no, it wasn't anything to worry about. Then they told us to throw the berries out."

Edna remembers her husband suggesting to the men that NB Power run an ad in the paper to warn others or put up notices. She doesn't think anything came of that. "They said that next time they'd put it in the papers but I didn't pay any attenton after that."

Graham, a widow now, says she's too busy getting on with life to feel any bitterness. She takes care of her home and visits with her daughter. She touches things to find her way around at home.

The 1961 NB Power memo says Graham's vision was severely impaired after eating the raspberries but "it has never been very good normally."

Graham says she had great eyesight until eating the berries.

MC 2439 Newspaper Clipping re: Edna Graham, Hoyt spray incident
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The Telegraph-Journal, Tuesday, June 4, 1991

SODA: province knew spray could be harmful

By SHAUN WATERS
The Telegraph-Journal

FREDERICTON

A private investigation firm claims it has unearthed evidence that the province knew herbicides sprayed by NB Power in the 1960s could harm people.

A neighborhood was poisoned in 1961 after eating raspberries sprayed by a crew who were clearing brush for the provincial power company. The government documented cases of violent sickness, dizziness, depression and blurred vision up to three months after the incident.

And bottles of preserves made with the berries were buried "for the protection of animals", according to an internal NB Power memo dated September 1961.

The power company is being sued by former sprayers who are alleging similar symptoms and even deaths caused by dioxins in the spray. But the government has always maintained it never had any reason to believe the spray was dangerous.

The internal memo casts doubt on that stance. It was discovered in NB Power files by Commercial Investigations and Consultants Ltd., a Saint John firm hired by the province's Workers Compensation Board.

The compensation board hired the firm to search government records and also requested a brief from NB Power to determine whether the board should pay damages to the former sprayers.

NB Power Chairman Al Lacey was unavailable for comment Monday.

But Jerry White of the Sprayers of Dioxin Association, or SODA, says the raspberry incident is the kind of evidence sprayers have been searching for since 1984. He called it conclusive and noted the memo shows NB Power rejected a request from the neighborhood at the time to publicize the contamination and warn people.

"The fact that they would bury the preserves for the protection of animals in 1961 tells you their claims of no knowledge are patently false," White said in an interview yesterday. "They were sitting on records which said quite clearly that a whole group of people had been poisoned."

> "They were sitting on records which said quite clearly that a whole group of people had been poisoned."
>
> Jerry White

White said exposure levels of dioxin on a cup of raspberries would have been a thousand times smaller than the level sprayers suffered at the time. The 30-year-old memo doesn't identify the neighborhood but names one complainant. White says SODA will try to trace the family and see whether any of the neighborhood died from unexplained cancers like some of the sprayers.

The investigators also found evidence to prove six SODA members were likely exposed to the spray and had suffered boils and other illnesses subsequently. NB Power had claimed it either had no employment records for those six or nothing to show they worked with the herbicides.

"The independent investigation completely verifies all the anecdotal evidence up to now that SODA has been talking about," said White, who showed a reporter a copy of the investigator's report. "We definitely smell blood at NB Power and we intend to keep them up against the wall.

SODA received the report from the law firm representing the sprayers in their $60-million lawsuit against NB Power and the makers of the herbicide, Dow chemical company and ICI Chipman.

The case has been delayed by appeals and other legal technicalities but is expected to go to trial next year.

White said sprayers had always been prepared to give NB Power the benefit of the doubt about its knowledge of the spray's health effects. But he said it looks like a cover-up now and a settlement will cost the government more than it would have a few years ago.

MC 2439

Newspaper Clippings re: Edna [illegible], Hoyt spray incident

MS 2 5

SODA Turns Up NB Power Memo

Province Knew Spray Harmful

A 30-year-old NB Power memo dug up by private investigators indicates the province knew herbicides it sprayed in the 1960s were poisoning people.

Residents of an unidentified neighborhood became ill in 1961 after eating raspberries sprayed by a crew clearing brush for the provincial power company, the internal memo said. The government documented cases of violent sickness, dizziness, depression and blurred vision up to three months after the incident.

And bottles of preserves made with the berries were buried "for the protection of animals," said the memo dated September 1961 and released Monday by the Sprayers Of Dioxin Association, or SODA.

The association received the report from the law firm representing former sprayers in their $60-million lawsuit against NB Power and the makers and distributors of the herbicide. Dow Chemicals and ICI Chipman.

The sprayers claim they suffered similar illnesses and even deaths from dioxins in the herbicides. The government has always maintained it had no reason to believe the spray was dangerous.

Al Lacey, chairman of NB Power, was unavailable for comment this morning.

Protect Animals

"The fact that they would bury the preserves for the protection of animals in 1961 tells you their claims of no knowledge are patently false," said Jerry White, association spokesman.

"They were sitting on records which said quite clearly that a whole group of people had been poisoned."

Dioxin exposure levels in a cup of raspberries would have been a thousand times smaller than the level sprayers suffered. White said.

The memo was discovered in NB Power files by Commercial Investigations and Consultants Ltd., a Saint John firm hired by the province's Workers Compensation Board.

The board hired the firm to search government records and also requested a brief from NB Power to determine whether the board should pay damages to the former sprayers.

Names Resident

The memo doesn't identify the neighborhood affected but names one complainant.

White said his group will try to trace the family and find out if anyone in the neighborhood died from unexplained cancers as some association members have.

The investigators also found evidence to prove six association members were likely exposed to the spray and suffered boils and other illnesses subsequently, said the association. NB Power claims it either had no employment records for those six or nothing to show they worked with the herbicides.

"The independent investigation completely verifies all the anecdotal evidence up to now that SODA has been talking about," said White..

White said sprayers had always been prepared to give NB Power the benefit of the doubt about its knowledge of the spray's health effects, but now feels NB Power was merely covering up the health effects.

"We definitely smell blood at NB Power and we intend to keep them up against the wall."

The lawsuit has been delayed by appeals and other legal technicalities but is expected to go to trial next year.

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Newspaper Clippings re: Edna Graham, Hwy spray incident

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NB Power deserves SODA praise

POLITICS

Ann Gushurst

When Jerry White started working for NB Power in the summer of 1956, he thought he was lucky.

White's job was to spray the herbicide "Brushkill" on foliage under power lines.

At the time, he was just a high school student happy to have such a good paying summer job.

What he didn't know was that Brushkill contained dibenzodioxins-better known as dioxin-and his exposure to the toxic chemicals was probably putting his life in jeopardy.

D s are, to quote a recen eral study, "extremely toxic to test mammals," and can "cause birth defects, damage the liver, suppress the immune system...(and) at certain doses cause cancer".

Another researcher says dioxin is the most potant carcinogen yet tested in animals."

No-one is quite sure what they do to humans (it's hard to test deadly chemicals on people), but the evidence is mounting they are lethal.

Serious liver ailments, chlorace, soft tissue sarcoma, birth defects, miscarriages and suppression of the immune system have been linked to dibenzodioxin.

The men who sprayed Brush from 1952 to 1966 were told the manufacturer's agents stuff was "safe enough to ik".

They weren't issued safety delines or even told to take ple precautions like wearing gloves and masks to prevent exposure.

In fact, they often worked stripped to the waist in the summer heat, and sometimes they even sprayed each other with the herbicide to cool themselves off.

The mist blew onto their lunches which, as White recalls, often tasted bitter as a result.

They went home to their families with clothes drenched in the herbicide and exposed their pregnant wives, mothers and children to the deadly dioxins.

Many years later, those who had worked on the spray crews found their numbers seemed to be dwindlling. Those who remained, shared many common medical complaints, such as nauses, dizziness, birth defects, stillbirths, rashes, neurological disorders, and rare cancers.

Their suspicions were confirmed when a 1985 actuarial study found they had more than twice the normal mortality rate, and their average age of death was 56. Of the 204 sprayers, as of last month, 89 have died.

In 1984 SODA (the Sprayers of Dioxin Association) was formed to seek compensation from the companies that had exposed the workers to these deadly chemicals.

The first suit against Dow chemical, the manufacturer of Brushkill, was thrown out of a Michigan court (which is where Dow has it headquarters) when the court decided the trial had to take place in Canada.

Since then, SODA has filed suits against both DOW and NB Power in New Brunswick Courts.

It has been a long and lonely fight of a David against two Goliaths.

Dow alone has two full-time lawyers of its own working on the case, has retained a top-notch New York legal firm to help, and has at least one New Brunswick lawyer working as well.

SODA's resources are limited, and although the 80-odd survivors have managed to come up with $400,000 so far, many have been looking at taking out second mortgages to continue the legal fight which has been on-going since 1987.

All of this changed last week when NB Power decided to join SODA in its suit against Dow.

The decision seems to have been made because of a recently disclosed memo indicating that, contrary to previous claims to the opposite, the utility was indeed aware brushkill could cause serious health problems.

Whatever the reason, the decision is a good one and should be applauded.

With NB Power's financial backing, SODA will finally get their day in court.

MS 2 5

The Telegraph-Journal, Thursday, June 6, 1991

Lacey leaves spray incident lecision in hands of courts

SHAUN WATERS
e Telegraph-Journal

> "The impression our staff had at the time was that it was not relevant, therefore they did not pick it up."
>
> Al Lacey

EDERICTON

\ judge will have to decide ether poisoned raspberries af- t a lawsuit against NB Power former herbicide sprayers, the d of the power company said dnesday.

NB Power Chairman Al Lacey s he was concerned to learn some residents in Hoyt be- ne sick in 1961 after eating pberries sprayed by power vs.

ut he said it appears to be an olated incident" and courts have to determine whether it ele[illegible] to claims by former aye[illegible] hat the government w the herbicide was gerous.

n old government memo ut the poisoned raspberry in- nt surfaced this week and the ayers of Dioxin Association, ODA, seized upon it as proof NB Power was negligent.

group of former sprayers is g the utility and chemical panies, claiming dioxins in spray damaged their health.

acey says the memo is open to rpretation and will not change Power's defence that it had reason to believe there were nful ingredients in the herbi- called 2,4,5-T.

The question will be, 'Did we w?' and we don't have any umentation to say we did know," Lacey said. "The impression our staff had at the time was that it was not relevant, therefore they did not pick it up."

The minister rejected allegations from SODA that the government covered up the memo. It was discovered by a private investigation firm that was hired by the Workers Compensation Board. The board is trying to decide whether it should pay injury benefits to the former sprayers.

Lacey said NB Power has opened its records to former sprayers to help them with their claim and will continue to be accessible.

He said he feels a certain amount of compassion for the former sprayers and their families but that NB Power must also protect its interests. He said responsibility will be determined in court.

Otherwise, "you'd be jeopardizing a legal suit that could cost the taxpayers millions of dollars," Lacey said.

NB Power has launched a countersuit against Dow chemical company and others who made and distributed the herbicide just in case the sprayers win.

SODA spokesman Jerry White called Lacey's reaction predictable but he thinks NB Power may be feeling some "moral twinges."

"Richard Nixon didn't resign until he was nearly impeached and Ollie North didn't roll over for the courts so I wouldn't expect them to quit."

MC 2439

Newspaper Clippings re: Edna Gaslam, Hoyt spray incident

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